

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KAZANDRA BARLETTI, individually, as
natural parent and next friend of A.B. and C.B.,
minors; ANDREW RECCHILONGO;
SHARONDA LIVINGSTON, individually, as
natural parent and next friend of K.J., a minor;
BRADLEY HAIN, individually, as natural
parent and next friend of N.H. and T.H., minors;
and HAILEY JOWERS, on behalf of themselves
and all others similarly situated,

Plaintiffs,

v.

CONNEXIN SOFTWARE, INC. d/b/a OFFICE
PRACTICUM,

Defendant.

Case No. 2:22-cv-04676-JDW

CLASS ACTION

JURY TRIAL DEMANDED

**PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL
OF CLASS ACTION SETTLEMENT**

Jonathan Shub (Pa. Bar No. 53965)
Benjamin F. Johns (Pa. Bar No. 201373)
Samantha E. Holbrook (Pa. Bar No. 311829)
SHUB & JOHNS LLC
Four Tower Bridge
200 Barr Harbor Drive, Suite 400
Conshohocken, PA 19428
(610) 477-8380
jshub@shublawyers.com
bjohns@shublawyers.com
sholbrook@shublawyers.com

Bart D. Cohen
BAILEY & GLASSER LLP
1622 Locust Street
Philadelphia, PA 19103
(215) 274-9420
bcohen@baileyglasser.com

*Interim Co-Lead Class Counsel
[Additional Counsel on Signature Page]*

Plaintiffs Kazandra Barletti, individually, as natural parent and next friend of A.B. and C.B., minors; Andrew Recchilongo; Sharonda Livingston, individually, as natural parent and next friend of K.J., a minor; Bradley Hain, individually, as natural parent and next friend of N.H. and T.H., minors; and Hailey Jowers (collectively, “Plaintiffs”), individually and on behalf of all others similarly situated, move this Court, pursuant to Federal Rule of Civil Procedure 23, for an Order granting preliminary approval of the proposed class action Settlement Agreement agreed to by the Parties.¹ This Motion seeks preliminary approval of Plaintiffs’ agreement with Connexin Software, Inc. d/b/a Office Practicum (“Defendant” or “Connexin”) to settle all individual and class claims that were made, or that could have been made, in Plaintiffs’ Consolidated Class Action Complaint. ECF No. 49.

In support of this motion, Plaintiffs rely upon the accompanying Brief in Support, the Declaration of Benjamin F. Johns of Shub & Johns LLC, which includes the contents of the Settlement Agreement and its supporting documentation, all in Support of Plaintiffs’ Unopposed Motion for Preliminary Approval.

Plaintiffs respectfully request that the Court: (1) grant preliminary approval of the Settlement Agreement; (2) provisionally certify the Settlement Class under Federal Rules of Civil Procedure 23(a), 23(b)(2) and 23(b)(3) in connection with the settlement process; (3) provisionally appoint Plaintiffs as representatives of the Settlement Class; (4) provisionally appoint Benjamin F. Johns, Esq. of Shub & Johns LLC and Bart D. Cohen of Bailey & Glasser LLP, as Settlement Class Counsel; (5) find that the proposed Settlement is sufficiently fair, reasonable, and adequate to allow dissemination of notice of the settlement to the proposed Settlement Class by a settlement

¹ The Settlement Agreement and its exhibits are included as an exhibit to the accompanying Declaration of Benjamin F. Johns, filed contemporaneously herewith.

administrator; (6) appoint Epiq as Settlement Administrator; (7) approve the Notice Plan for the Settlement described in the Settlement Agreement and its Exhibits, as well as the specific Notice of Class Action and Proposed Settlement (the “Proposed Notice”) and direct distribution of the Proposed Notice; (8) establish dates for a hearing on final approval of the proposed Settlement, Plaintiffs’ service awards and Plaintiffs’ Counsel’s request for attorneys’ fees and expenses; and (9) establish a deadline for the filing of objections by Settlement Class Members and for them to exclude themselves from the proposed Settlement Class with respect to the settlement.

Dated: February 14, 2024

Respectfully submitted,

/s/ Benjamin F. Johns

Jonathan Shub (Pa. Bar No. 53965)
Benjamin F. Johns (Pa. Bar No. 201373)
Samantha E. Holbrook (Pa. Bar No. 311829)
SHUB & JOHNS LLC
Four Tower Bridge
200 Barr Harbor Drive, Suite 400
Conshohocken, PA 19428
(610) 477-8380
jshub@shublawyers.com
bjohns@shublawyers.com
sholbrook@shublawyers.com

/s/ Bart D. Cohen

Bart D. Cohen
BAILEY & GLASSER LLP
1622 Locust Street
Philadelphia, PA 19103
(215) 274-9420
bcohen@baileyglasser.com

Plaintiffs’ Interim Co-Lead Counsel

Andrew Ferich
AHDOOT & WOLFSON, PC
201 King of Prussia Road, Suite 650
Radnor, PA 19087
T: (310) 474-9111
F: (310) 474-8585
aferich@ahdootwolfson.com

Mark B. DeSanto
BERGER MONTAGUE
1818 Market Street, Suite 3600
Philadelphia, PA 19103
mdesanto@bm.net

Danielle Perry
MASON LLP
5101 Wisconsin Avenue, NW, Suite 305
Washington, DC 20016
Tel: (202) 429-2290
dperry@masonllp.com

Marc Edelson
EDELSON LECHTZIN LLP
411 S. State Street, Suite N-300
Newtown, PA 18940
(215) 867-2399
medelson@edelson-law.com

Michael McShane
AUDET & PARTNERS, LLP
711 Van Ness Avenue, Ste 500
San Francisco, CA 94102
(415) 568-2555
mmcshane@audetlaw.com

Plaintiffs' Steering Committee

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14 day of February 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the Electronic Mail notice list.

/s/ Benjamin F. Johns

Benjamin F. Johns (Pa. Bar No. 201373)